

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Taylor Jr.

Docket No. 5:13-CR-109-1FL

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Taylor Jr., who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on January 8, 2014, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On February 2, 2016, pursuant to a Rule 35 Order, the term of imprisonment was reduced to 95 months, and on March 8, 2017, pursuant to 28 U.S.C. § 2255, the term of imprisonment was further reduced to "Time Served."

James Taylor Jr. was released from custody on March 13, 2017, at which time the term of supervised release commenced. On April 5, 2017, a Violation Report was filed advising the defendant tested positive for cocaine on March 13, 2017, and March 14, 2017. The defendant was continued in the Surprise Urinalysis Program (SUP), and was referred for a substance abuse assessment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 6, 2017, the defendant tested positive for the use of marijuana. The defendant denied any use, but admitted to being around people that were using marijuana. Based on this positive urinalysis, enrollment in the DROPS Program at the second use level is recommended. The defendant has signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain

Michael C. Brittain
Supervising U.S. Probation Officer


/s/ Timothy L. Gupton

Timothy L. Gupton
U.S. Probation Officer
310 New Bern Avenue, Room 610
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Executed On: November 27, 2017

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ORDER OF THE COURT

Considered and ordered this 28th day of November, 2017, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge